

Rochester Land Bank Corporation

Meeting Minutes

July 16, 2015

City Hall, Rm. #223-B

30 Church Street,

Rochester, NY 14614

Board Members Present: Andrea Guzzetta, Kim Jones, Dana Miller, George Parker, Kate Washington, Carol Wheeler

Board Members Absent: Gary Kirkmire

Non-Board Members Present: Maritza Mejias, Rianne Mitchell, Kathy Sheets, Tom Warth

The meeting was called to order at 3:02 pm by Carol Wheeler, Board Chair.

The minutes from the last meeting were distributed. George Parker asked whether “Yankee Gutters” was the proper term to describe the gutter system at the Pulaski Library. Kathy Sheets confirmed that it was a correct term, but they were also referred to as internal gutters. Kate Washington moved that the minutes be approved. Andrea Guzzetta seconded. The motion was approved by the board.

The Land Bank is preparing to submit a Consolidated Funding Application to New York State. The Executive Director will forward the application by Friday, July 17th to Kate Washington, who will submit all of the applications associated with the City of Rochester. A team will review all of the applications and submit them the week prior to the July 31st deadline. Several board resolutions are required to complete the application. The first discussed was Resolution No. 6 of 2015 to submit an application to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for an Environmental Protection Fund grant to perform environmental and structural remediation on the Pulaski Library. Part of the matching funds proposed includes a \$30,000 commitment from the Land Bank’s unrestricted funds. George Parker made a motion to approve the resolution; Kim Jones seconded it. The resolution was approved. Resolution No. 7 of 2015 to accept funding from the OPRHP should it be awarded was next discussed. This resolution was prepared from a template created by the OPRHP and is required for the application to be considered. Kate Washington made a motion to approve the resolution, George Parker seconded it. The resolution was approved.

As the Land Bank is a not-for-profit corporation, rather than a municipality, it is required to register with the New York State Grants Gateway to be eligible to receive state funding. This requires answering questions about the nature of the organization and attesting to having certain policies and procedures in place. The structure of the Rochester Land Bank makes three policies required by the State that relate to employees unnecessary, but all not-for-profits must have them in place to complete Grants Gateway registration. Scott Smith drafted the policies with a disclaimer that they will “apply to such time as the Land Bank may hire employees.” Resolution No. 8 of 2015 to approve the Anti-Nepotism policy was discussed. George Parker asked if the policy mirrored that of the City. Kim Jones answered that it was very similar. Kim Jones made a motion to adopt the policy; George Parker seconded the motion. The board approved the resolution. Resolution No. 9 of 2015 to adopt the Staff Code of Conduct was next discussed. Andrea Guzzetta asked if this also was based on the City’s policy.

Kathy Sheets noted similarities. Andrea suggested that the instances where employees are directed to report violations of the code of conduct to the Executive Director include the qualifier “or to the Board Chair should the Executive Director be involved.” Andrea Guzzetta made a motion that the Staff Code of Conduct be adopted as amended by those changes; Kate Washington seconded the motion. The board approved the resolution. The board next reviewed Resolution No. 10 of 2015 to approve the Supervision and Performance Evaluation Policy. Kate Washington made a motion that the board adopt the policy; Kim Jones seconded it. The board approved the resolution.

Ryan Perry then joined the meeting. When the Board Chair acknowledged him, he spoke of his interest in finding out more about the Land Bank and asked for the opportunity to talk to the board about container housing. Carol Wheeler invited him to stay and discuss it after the board had completed the business items on the agenda.

Continuing with the requirements to complete the Land Bank’s CFA, the board discussed the concern expressed by the Grants Gateway representative for OPRHP that the Land Bank does not have a Professional Development Plan for employees. While it was explained that the Land Bank currently has no employees, she recommended that the board proactively discuss the issue. The board agreed that having such a plan in place was a good idea and to make it an item on its ongoing action plan. George Parker recommended that any plan be designed around the specific duties of any position the Land Bank decides it needs to hire an employee to fill.

The next topic of discussion was Resolution No. 11 of 2015 to formally authorize the acquisition of two properties for Strategic Blight Removal. The board had discussed sales negotiations during an executive session at the previous Land Bank meeting and agreed to proceed with the acquisition. Maritza Mejias corrected the appraised value that appeared in the written resolution for one of the properties. Andrea Guzzetta made a motion that the board approve the resolution with that correction; Dana Miller seconded the motion. The board approved the resolution.

The next item of business was Resolution No. 12 of 2015 authorizing the transfer of the lot at 21 Straub Street to the Greater Rochester Housing Partnership (GRHP) for use in Neighborhood Builders. Kathy Sheets confirmed that the resolution also authorized a license agreement if the demolition and closing cannot be coordinated to occur on the same day. Kim Jones asked if this was one of the original six properties identified as sites for Neighborhood Builders during the Round 2 CRI application process. Kathy answered that it was. George Parker identified the following corrections to the resolution:

- Add a description of the planned disposition to the board’s findings
- Add a fifth section to the resolutions specifically authorizing the demolition and transfer of the property to the GRHP for use in the Neighborhood Builders program.

George Parker made a motion that the board approve the resolution with the above amendments; Kate Washington seconded it. The board approved the resolution.

Andrea Guzzetta gave the update that the Risk Mitigation working group’s next scheduled meeting was planned for August 4th and the board will receive a report at its August meeting.

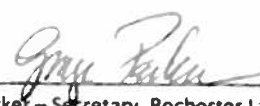
Kim Jones next gave the board the Treasurer's Report and the CRI grant report. Kathy Sheets asked why the expenses on the grant report exceeded the revenues. Kim explained that it was a matter of when the prospective payment is received for the quarter. As July is the first month of the current quarter, the payment had not yet arrived. Kathy Sheets then presented the Development Phase report for HOME Rochester properties that are part of the CRI program. Kim Jones asked whether we will meet our targets for each category by the end of the year. Kathy Sheets noted that there is a pipeline of properties in place that assures the completion of the Environmental Review/Remediation and the Completed Rehabilitation goals. There are currently three acquisitions in the pipeline and at the City tax foreclosure auction, scheduled for November 6th, the Land Bank will be able to exercise the Trump Bid to reach at least the goal of 50 acquisitions, and will likely take more properties. Dana Miller asked when we will know which properties will be in the auction. Kim Jones answered that there are two further notifications Treasury makes to property owners, the Creditor Letter and the Foreclosure Letter, that are likely to prompt significant redemptions and it is hard to say what will make it to the auction until those notification are issued. Kim then informed the board that the Land Bank will be gearing up to begin the audit process in the first week of August.

The board next discussed the ongoing action plan. Tom Warth explained that due to internal changes in the City's Law Department, he will be taking a less active role in the Land Bank in the near term so that he can focus on drafting legislation. He expects the change to be temporary and Scott Smith will resume the primary role of legal counsel to the Land Bank in the interim. Kathy Sheets noted that the Land Bank should begin thinking about community outreach in response to the recommendations of its Community Advisory Committee. It might make sense to coordinate with the City's annual outreach to neighborhood leaders regarding properties to withhold from the tax lien bulk sale. Kim Jones mentioned that the format of the meeting held prior to the 2014 tax foreclosure auction to explain the use of the Trump Bid seemed to work well. It was determined that a meeting should be organized including Carol Wheeler and Kathy Sheets, in their roles as Board Chair and Executive Director, and Kim Jones and Gary Kirkmire, in their roles as City Treasurer and Director of Inspection and Compliance Services, to develop a plan for the type of outreach activities that will be most effective. Kim Jones asked for an update on the status of the Land Bank's application to the IRS for 501(c)3 status. Kathy Sheets explained that her last contact was with an examiner who called the last week in June. After answering some questions, the examiner told her that she now understood the structure of the Land Bank and that, barring any further calls, a determination letter would be sent out in two weeks. No letter or further requests for information have yet arrived. George Parker suggested that the Land Bank could approach Louise Slaughter's office to check on the status of the application.

Ryan Perry then made an abbreviated presentation about container housing that his business, Kontek, is planning to develop in Rochester. He presented some examples of housing created from shipping containers that had been constructed in other parts of the country and pointed out some of the advantages of the housing - such as the lower cost and shorter construction time as compared with traditional construction. As board members had a number of questions and limited time, Mr. Perry was invited to coordinate with the Land Bank to present at a subsequent meeting with adequate time for the full presentation and questions.

The meeting was adjourned at 4:05 pm.

ATTEST:


George Parker – Secretary, Rochester Land Bank Corporation